

REMARKS

Reconsideration of the rejection and allowance of all claims is respectfully requested in view of the above amendments and the introduction of new claims 92 - 103 and the following remarks.

Currently there are two independent claims, 6 and 30 and two sets of claims dependent therefrom. Claims 7, 53, and 55-73 are dependant from claim 6 and in the second set, claims 31, 54, and 74-91 are dependent from claim 30.

The claim 6 and 30 have been amended to include language formerly in dependent claims 56 and 75 respectively.

New Claims 92-97 are dependent from claim 6 and new claims 98 –103 are dependent on claim 30.

Support for new claims 92 and 98 can be found in the specification on page 9, lines 6-8. Support for claims 93 and 99 can be found in the specification on page 18, lines 18-20. Support for claims 94-96 and 100-102 can be found in the specification on page 18, lines 15-18. Support for claims 97 and 103 can be found in the specification on page 18, lines 20-22.

a. Ganderton, 102(b) Rejection

In paragraph 2 of the office action, the examiner asserts that the applicant's invention is anticipated by Ganderton (USPN 3,814,097). Ganderton primarily deals with an arrangement of round fibres constructed within a plastic support member. The only place that Ganderton discusses punched sheet metal is in the three lines 8-10, Column 2. As there is no literal anticipation, the

examiner asserts that Ganderton inherently anticipates the present invention. However, case law is quite clear on this matter. The features that are not explicitly disclosed must of necessity be present in order to assert inherency. In re Robertson, 49 USPQ2d 1949. "Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." Considering the limited disclosure regarding punched sheet metal, Ganderton does not, with certainty, teach all of the elements of the present application. There are many ways in which a hole could be punched which don't result in "projections of metal".

As Ganderton fails to either literally or inherently anticipate the present invention, Applicant's respectfully requests that this rejection be withdrawn.

b. Reed, 102(b)

The examiner asserts that Reed anticipates claim 57. Applicant would point out that the structure in Reed, cited by the examiner as barb 72 in Fig. 13, is round, having 4 projections extending therefrom as shown in Fig. 10. Because of this structure, the barb cannot define a plane as required in claim 57. Therefore, Reed cannot anticipate claim 57.

Entry of this amendment under the provisions of 37 CFR § 116(a) is respectfully requested because this amendment places the present application in condition for allowance or in better condition for appeal if an appeal is filed.

Respectfully submitted,

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